

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

B46 01-85365-0

In Re: BERNARD WILLIAM BRATHWAITE
ELISABETH BRATHWAITE
Debtor(s),

Case No. 01-01385-R
Chapter No. 7

**Recipient Shall Promptly Notice
Proper Parties and File Certificate of
Service Reflecting Such Notice.**

GENERAL ELECTRIC CAPITAL CORPORATION

Plaintiff,
v.

ADVERSARY PROCEEDING
NO. 01-0286-R

BERNARD WILLIAM BRATHWAITE
ELISABETH BRATHWAITE

Defendant(s).

FILED

DEC 17 2001

MICHAEL L. WILLIAMS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

JOURNAL ENTRY OF JUDGMENT

NOW, this matter comes on to be considered by the Court on the Third Amended Motion to Compromise and Settle and Notice for Opportunity for Hearing, for a default judgment.

The Court finds that said Complaint was filed on June 28, 2001 seeking to determine the dischargeability of a debt in favor of the Creditor in the amount of \$5,034.07 wherein Plaintiff alleges that said debt should be excepted from dischargeability.

The Court finds:

1. The Plaintiff filed an action against Bernard and Elisabeth Brathwaite pursuant to 11 U.S.C. Sections 727, 1141, 1328(b), 523 (a)(2)(A)(B), and 28 U.S.C. Section 157 (b)(2)(I).
2. The Defendants and each of them deny Plaintiff's allegations.
3. The central issue of the Complaint dealt with whether the Defendants made purchases, for luxury goods, with 60 days of filing for bankruptcy.
4. The terms of the settlement are:
 - a. Bernard and Elisabeth Brathwaite shall tender \$1,500.00 to the Plaintiff.

DOCKETED 12-17-01
Clerk, U.S. Bankruptcy Court
Northern District of Oklahoma

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- b. Bernard and Elisabeth Brathwaite shall remit the \$1,500.00 in monthly installments of \$100.00, beginning on September 30, 2001.
- c. Bernard and Elisabeth Brathwaite shall remit their monthly payments directly to the Plaintiff, as follows:
 - i. One hundred dollar payments directly to Total Debt Management, Inc., attention Bill Kopecky, P.O. Box 6700, Norcross, GA 30091-6700.
 - ii. The following code shall be clearly marked on the front of each payment: 066045130

5. This settlement is in the best interest of the Estate and of the Creditors of the Estate.

6. This settlement is with bounds of reasonableness.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$1,500.00 hereby held to be a nondischargeable debt of the Debtors in favor of the creditor, Plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff, General Electric Capital Corporation. should be, and is hereby awarded judgment against the Defendant, Bernard William Brathwaite and Elisabeth Brathwaite for the sum of \$1,500.00.

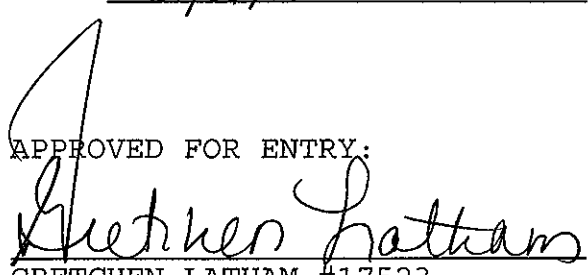
IT IS SO ORDERED.



DANA L. RASURE, BANKRUPTCY JUDGE

Date: 12/17/01

APPROVED FOR ENTRY:



GRETCHEN LATHAM #17523
DAVID O. BEAL, #623
Attorney for Plaintiff/Creditor
TOTAL DEBT MANAGEMENT, INC.
Love, Beal & Nixon, P.C.
P. O. Box 32738
Oklahoma City, OK 73123
405-720-0565